

State of California
Business, Transportation and Housing Agency
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS
Resolutions of Necessity
Action Item

Prepared By:
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Division of Right of Way
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CTC Meeting: August 22-23, 2001

Agenda Item: 2.4b.

Original Signed By
MARK LEJA
Acting Chief Financial Officer
August 1, 2001

RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18310 through C-18348. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18310 - Union Pacific Railroad Company

05-SB-101-KP 24.5- Parcel 5377-2(A), 5378-2(A) – EA 363309 (Freeway) Amends Resolution No. C-17963, adopted February 23, 2000, which authorized condemnation of fee, permanent and temporary easements for highway construction. This amendment is required to extend two (2) existing temporary construction easements for highway construction..

C-18311 - Robert Papazian, et al.

06-Fre-180-KP 100.3- Parcel 80880-1,2,3 – EA 342422 (Freeway) Authorizes condemnation of land in fee for a State highway, fee acquisition to be conveyed to Fresno Metropolitan Flood Control District, extinguishment of abutter's rights of access, an easement for utility purposes to be conveyed to Pacific Gas and Electric, located near the city of Fresno, near the south side of East Olive Avenue between North Minnewawa and North Clovis Avenues.

C-18312 - Fresno Project One

06-Fre-180-KP R99.7- Parcel 83912-1,2,3,4,5 – EA 342429 (Freeway) Authorizes condemnation of land in fee for a State highway, a temporary easement for highway construction, a permanent easement for pedestrian crossing, an easement for utility purposes to be conveyed to Pacific Gas and Electric and Pacific Bell, located in the city of Fresno, at 5175 East Belmont Avenue.

C-18313 - Van Ness Investment Company

06-Fre-180-KP R99.7- Parcel 83913-1,2,3,4 - EA 342429 (Freeway) Authorizes condemnation of an easement for State highway purposes, a temporary easement for highway construction, two permanent easements for pedestrian crossing, located in the city of Fresno, at 5191 East Belmont Avenue.

C-18314 - Edwanda Myron Trust, et al.

06-Fre-180-KP R99.5- Parcel 83916; (83916-01-01) – EA 342429 (Freeway) Authorizes condemnation of land in fee for a State highway, excess land in fee to which the owner has consented, located near the city of Fresno, at 5194 East Belmont Avenue.

C-18315 - King of Central Valley

06-Fre-180-KP R100.6- Parcel 83958-1,2 – EA 342429 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a permanent easement for utility purposes to be conveyed to Pacific Gas and Electric, located in the city of Fresno, at the northwest corner of Clovis and Belmont Avenues.

C-18316 - Van Ness Investment Company

06-Fre-180-KP R99.5- Parcel 84108 (Freeway) – EA 342429 Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located in the city of Fresno, near the north side of Belmont Avenue between Helm Avenue and Sylmar Avenue.

C-18317 - Fresno Project One

06-Fre-180-KP R99.7- Parcel 84115 – EA 342429 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located in the city of Fresno, near the northside of Belmont Avenue 300 feet west of Peach Avenue.

C-18318 – Nachhatar Tiwana, et ux

06-Ker-223-KP 27.4-32.4- Parcel 84139-1A,1B – EA 338509 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located near the city of Arvin, at the northeast corner of Vineland and State Route 223 (Bear Mountain Boulevard).

C-18319 - Winifred Ann Thomson, et al.

06-Ker-223-KP 27.4-32.4 - Parcel 84140-1A,1B – EA 338509 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located near the city of Arvin, at the southeast corner of Vineland and State Route 223 (Bear Mountain Boulevard).

C-18320 – Giumarra Brothers Fruit Company

06-Ker-223-KP 32.4- Parcel 84153-1A, 1B, 1C – EA 338509 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located near the city of Arvin, at the southwest corner of Comanche Avenue and State Route 223 (Bear Mountain Boulevard).

C-18321 - Richard L. Hewitson, et ux

06-Kin-41-KP 10.40-11.70- Parcel 84183-1A, 1B – EA 393802 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at the west side of Highway 41, 1.5± miles south of Highway 33.

C-18322 - Richard L. Hewitson, et ux

06-Kin-41-PM 10.40-11.70- Parcel 84184-1A, 1B – EA 393802 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at the east side of Highway 41, 1.5± miles south of Highway 33.

C-18323 - Hewitson Farms

06-Kin-41-KP 11.30- Parcel 84185-1A, 1B – EA 393802 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at APN 050-120-025 (on the west side of Highway 41, 1.0± miles south of Highway 33).

C-18324 - Hewitson Farms

06-Kin-41-KP 11.30- Parcel 84186-1A, 1B – EA 393802 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at APN 050-120-025 (on the east side of Highway 41, 1.0± miles south of Highway 33).

C-18325 - Richard L. Hewitson, et ux

06-Kin-41-33-KP 11.41-13.04 & 12.55-12.81- Parcel 84187-1,2,3 – EA 393802 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, a temporary easement for highway construction, located in the unincorporated area of Kings County at APN 050-120-021.

C-18326 - Richard L. Hewitson, et ux

06-Kin-41-33-KP 11.38-13.29 & 11.47-12.81- Parcel 84188-1A, 1B, 2 – EA 321512 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, a temporary easement for highway construction, located in the unincorporated area of Kings County at APN 050-120-019.

C-18327 - Hewitson Farms

06-Kin-33-KP 12.81-13.00- Parcel 84190-1A, 1B, 2 - EA 321512 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, a temporary easement for highway construction, located in the unincorporated area of Kings County at APN 050-120-008 (on the south side of Highway 33, approximately 800' west of Highway 41-33 Junction).

C-18328 - Hewitson Farms

06-Kin-33-KP 12.79-12.94 - Parcel 84191 – EA 321512 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at APN 050-120-008 (on the north side of Highway 33, approximately 800' west of Highway 41-33 Junction).

C-18329 - Richard L. Hewitson, et ux

06-Kin-41-33-KP 13-04-13.29 & 11-47-12-55 - Parcel 84192 – EA 321512 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located at the southeast corner of Highway 41 and 33 Junction in the unincorporated area of Kings County (APN 050-120-027).

C-18330 - Hewitson Farms

06-Kin-41-KP 13.29/14.48- Parcel 84193-A,B - EA 321512 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at APN 050-120-008, on the east side of Highway 41, approximately 850' north of Highway 41/33 Junction

C-18331 - Hewitson Farms

06-Kin-41-KP 15.10-16.90- Parcel 84196-A,B – EA 321512 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at APN 050-120-024 (on the east side of Highway 41, 1.5± miles north of Highway 41/33 Junction).

C-18332 - Glenna Jean Keeney

06-Fre-180-PM R55.3- Parcel 84021-1A, 1B – EA 342329 (Expressway) Authorizes condemnation of land in fee for a State highway, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, in the city of Fresno, at 110 South Hughes Avenue.

C-18333 Walter Cucuk, et ux

06-Fre-180-KP 98.9- Parcel 84209 – EA 342429 (Freeway) Authorizes condemnation of a temporary easement for detour, located in the city of Fresno, at 745 North Willow Avenue.

C-18334 - Gary Holley, et ux

06-Fre-180-KP 98.7- Parcel 84210-1,2 – EA 342429 (Freeway) Authorizes condemnation of a temporary easement for highway construction, located in the city of Fresno, at 4953 East Harvey Avenue.

C-18335 - St. Luke Lutheran Church of Claremont

07-LA-30-PM 6.2- Parcel 77505-1, 2, 3 – EA 1263G9 (Freeway) Authorizes condemnation of land in fee for a State highway and temporary easements for highway purposes, located in the city of Claremont at 2050 North Indian Hill Boulevard.

C-18336 - Michael Chang, et ux

07-LA-30-PM R5.3- Parcels 77454-1, 2 - EA 126499 (Freeway) Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes, located in the city of Claremont at 4060 La Junta Drive.

C-18337 - Kameyohi Takayama, et ux

08-SBd-15-KP 68.3- Parcel 18201-1 – EA 355529 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of Victorville at 250 feet south of the southeast corner of Barranca Way and Sueno Lane.

C-18338 Park Lane High Desert, Inc.

08-SBd-15-KP 68-42 - 68.52- Parcels 18212-1, 2 – EA 355529 (Freeway) Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes, located in the city of Victorville near the I-15, between Sueno Lane and Tawney Ridge.

C-18339 - World Project, Inc.

08-SBd-15-KP 68.9- Parcel 17715-1 – EA 355529 (Conventional Highway) Authorizes condemnation of a temporary easement for construction purposes, located in the city of Victorville at 16219 Pepper Tree Drive.

C-18340 - Alexander and Maria Velasquez

08-SBd-15-KP 69.0- Parcel 17718-1 – EA 355529 (Conventional Highway) Authorizes condemnation of a temporary easement for construction purposes, located in the city of Victorville at the intersection of Pepper Tree Drive and Coronado Drive.

C-18341 - Carol S. Platt, et al.

08-SBd-15-KP 70.6- Parcel 17975 – EA 355529 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Victorville, CA 92399 at the west side of Route 15, approximately 1/2 mile north of the Stoddard Wells Road and Route 15 Interchange.

C-18342 - DEA Family Ltd. Partnership

08-SBd-15-KP 68.95- Parcel 17704-1 – EA 355529 (Freeway) Authorizes condemnation of a temporary easement for construction purposes, located in the city of Victorville at La Paz Drive.

C-18343 - DEA Family Limited Partnership

08-SBd-15-KP 69.03- Parcels 17707-1 and 17707-01, 01 - EA 355529 (Freeway) Authorizes condemnation of a permanent easement for access rights and land in fee which is a remnant and would be of little market value, located in the city of Victorville at La Paz Court.

C-18344 - Celebas Osborne

08-SBd-15-KP 75.35 – 75.31- Parcels 17999-1, 2 - EA 355529 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, located in the city of Victorville at the southwest quadrant of Route 15 and Bell Mountain Road.

C-18345 - Anthony R. Vackar, et al.

08-SBd-15-KP 70.6- Parcels 18000-1, 2, 3 – EA 355529 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of Victorville between the northwest quadrant of Route 15 and Bell Mountain/Stoddard Wells Road.

C-18346 - John L. Osborne

08-SBd-15-KP 76.10 - Parcels 17980-1, 2 – EA 355529 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes, located in the city of Victorville at the southwest quadrant of Route 15 and Bell Mountain Road.

C-18347 - White Rock Acquisition Co.

08-SBd-15-KP 91.20- Parcels 18210-1, 2 – EA 355529 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes, located in the city of Victorville at 1/2 mile north of Wild Wash Canyon Road.

C-18348 – Richard L. Hewitson, et al.

06-Kin-41-KP 7.10-8.60 – Parcel 84180-1,2,3 – EA 393802 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at the east side of Highway 41, south of Highway 33.